

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION**

**LOWELL ROGERS, INDIVIDUALLY
AND ON BEHALF OF ALL OTHERS
SIMILARLY SITUATED**

PLAINTIFF

V.

CAUSE NO. 2:05-cv-200BA

MEDTRONIC, INC.

DEFENDANT

**STIPULATION OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE
OF CLAIMS INVOLVING GEM II DR MODEL 7273**

THE PARTIES HERETO, by and through undersigned counsel, pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure, hereby agree and stipulate to the voluntary dismissal without prejudice of any and all claims asserted in this matter regarding the Gem II DR Model 7273, Serial No. PJK302376H. This dismissal terminates all claims recently separated and remanded to this Court, but will in no way affect or prejudice the Plaintiff's claims presently pending in multi-district litigation, *In re: Medtronic, Inc. Implantable Defibrillators Products Liability Litigation*, MDL NO. 05-1726 (D. MN). The parties hereto also agree that each party shall bear its own costs. By signing below, the parties evidence their agreement to this Stipulation.

This the 18th day of June, 2007.

LOWELL ROGERS

MEDTRONIC, INC.

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